

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK
LARRY CALDERON,**

Plaintiff,

**9:20-cv-645
(GLS/CFH)**

v.

JANE DOE et al.,

Defendants.

APPEARANCES:

OF COUNSEL:

FOR THE PLAINTIFF:

LARRY CALDERON

Pro Se

17-A-3002

Attica Correctional Facility

Box 149

Attica, NY 14011

FOR THE DEFENDANTS:

Noeth

HON. LETITIA JAMES

New York State Attorney General

The Capitol

Albany, NY 12224

BRENDA T BADDAM

Assistant Attorney General

Doe Defendants

NO APPEARANCES

**Gary L. Sharpe
Senior District Judge**

ORDER

The above-captioned matter comes to this court following a Report-Recommendation and Order (R&R) by Magistrate Judge Christian F. Hummel duly filed November 24, 2021. (Dkt. No. 30.) Following fourteen days from

the service thereof, the Clerk has sent the file, including any and all objections filed by the parties herein.

No objections having been filed, and the court having reviewed the R&R for clear error, it is hereby

ORDERED that the Report-Recommendation and Order (Dkt. No. 30) is **ADOPTED** in its entirety; and it is further

ORDERED that defendant Noeth's motion for summary judgment (Dkt. No. 24) is **GRANTED**; and it is further

ORDERED that all claims against Noeth are **DISMISSED WITH PREJUDICE** for failure to exhaust administrative remedies; and it is further

ORDERED that the Clerk **TERMINATE** defendant Noeth from this action; and it is further

ORDERED that the New York State Attorney General's Office is directed, to the extent possible, to provide the information specified in the R&R regarding the identities of the Doe defendants to plaintiff and the court within thirty (30) days from the filing date of this Order; and it is further

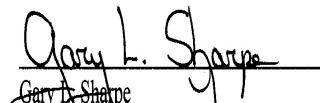
ORDERED that, upon receipt of a response from the New York State Attorney General's Office, the Clerk shall return the file to Magistrate Judge Hummel for further review; and it is further

ORDERED that the Clerk provide a copy of this Order to the parties in

accordance with the Local Rules of Practice.

IT IS SO ORDERED.

January 5, 2022
Albany, New York


Gary L. Sharpe
U.S. District Judge